

Order

Michigan Supreme Court
Lansing, Michigan

October 21, 2009

Marilyn Kelly,
Chief Justice

138108

Michael F. Cavanagh
Elizabeth A. Weaver
Maura D. Corrigan
Robert P. Young, Jr.
Stephen J. Markman
Diane M. Hathaway,
Justices

TIMOTHY LAJOICE as Personal Representative
of the Estate of KERIN LAJOICE, Deceased,
Plaintiff-Appellant,

v

SC: 138108
COA: 277587
Emmet CC: 06-009165-NH

NORTHERN MICHIGAN HOSPITALS, INC.,
BRAD E. VAZALES, M.D., GREAT LAKES
CARDIOTHORACIC & VASCULAR
SURGERY, PLLC, DANIEL E. MCDONNELL,
M.D., and DANIEL E. MCDONNELL, M.D., P.C.,
Defendants-Appellees.

On order of the Court, the application for leave to appeal the October 28, 2008 judgment of the Court of Appeals is considered and, pursuant to MCR 7.302(H)(1), in lieu of granting leave to appeal, we VACATE the opinion of the Court of Appeals and the order of the Emmet Circuit Court granting the defendants' motion for summary disposition, and we REMAND this case to the Emmet Circuit Court for reconsideration of the defendants' motion in light of this Court's decision in *Bush v Shabahang*, 484 Mich 156 (2009).



d1014

I, Corbin R. Davis, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

October 21, 2009

Corbin R. Davis

Clerk